

- |  |  |
|--|--|
|  |  |
|--|--|
- [Query](#)
  - [Reports](#)
  - [Utilities](#)
  - [Logout](#)

4months, CLOSED, SUBMDJ

**U.S. District Court  
Northern District of Georgia (Atlanta)  
CIVIL DOCKET FOR CASE #: 1:09-cv-03299-TWT**

Goodhart v. Department of Health and Human Services et al  
Assigned to: Judge Thomas W. Thrash, Jr  
Cause: 05:0552 Freedom of Information Act

Date Filed: 11/24/2009  
Date Terminated: 08/30/2010  
Jury Demand: Plaintiff  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Glenn L. Goodhart**  
*M.D.*

represented by **Glenn L. Goodhart**  
Law Office of Glenn L. Goodhart, M.D.,  
J.D.  
Suite 410  
6065 Roswell Road  
Northside Tower  
Sandy Springs, GA 30328  
404-255-3282  
Fax: 404-255-3524  
Email: glenngoodhart@gmail.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**James Clayton Culotta**  
Culotta & Culotta LLp  
432 E. Court Avenue  
Jefferson, IN 47130  
812-288-5141  
Email: clay@culottalaw.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Department of Health and Human  
Services**

represented by **Neeli Ben-David**  
U.S. Attorney's Office-ATL  
600 U.S. Courthouse  
75 Spring Street, S.W.  
Atlanta, GA 30303  
404-581-6303  
Email: neeli.ben-david@usdoj.gov  
**ATTORNEY TO BE NOTICED**

**Defendant**

**Kathleen Sebelius**  
*in her official capacity as Secretary of  
HHS*

represented by **Neeli Ben-David**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
11/24/2009	<a href="#"><u>1</u></a>	COMPLAINT with Jury Demand, filed by Glenn L. Goodhart; and Summon(s) issued. Consent form to proceed before U.S. Magistrate and pretrial instructions provided. ( Filing fee \$ 350.00 receipt number 18668.) (Attachments: # <a href="#"><u>1</u></a> Summons, # <a href="#"><u>2</u></a> Civil Cover Sheet)(eop) Please visit our website at <a href="http://www.gand.uscourts.gov">http://www.gand.uscourts.gov</a> to obtain Pretrial Instructions. (Entered: 11/25/2009)
11/24/2009	<a href="#"><u>2</u></a>	APPLICATION for Admission of James Clayton Culotta, Pro Hac Viceby Glenn L. Goodhart. Filing Fee received \$150.00, Receipt #18669. (Attachments: # <a href="#"><u>1</u></a> Text of Proposed Order)(eop) (Entered: 11/25/2009)
11/24/2009	<a href="#"><u>3</u></a>	CERTIFICATE OF SERVICE as to Discovery filed by Glenn L. Goodhart (eop) (Entered: 11/25/2009)
11/30/2009		RETURN of <a href="#"><u>2</u></a> APPLICATION for Admission of James Clayton Culotta Pro Hac Vice to attorney for correction. Petitioners signature and residential info required. (cdg) (Entered: 11/30/2009)
12/24/2009	<a href="#"><u>4</u></a>	MOTION for Extension of Time to File Responsive Pleading or Motion with Brief In Support by Department of Health and Human Services. (Ben-David, Neeli) (Entered: 12/24/2009)

12/29/2009	<a href="#">5</a>	ORDER granting Defendants' <a href="#">4</a> Motion for Extension of Time through and including January 22, 2010 to file their responsive pleading or motion. Signed by Judge Thomas W. Thrash, Jr. on 12/29/09. (dfb) (Entered: 12/29/2009)
01/04/2010	<a href="#">6</a>	APPLICATION for Admission of James Clayton Culotta Pro Hac Vice by Glenn L. Goodhart. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Goodhart, Glenn) (Entered: 01/04/2010)
01/12/2010		RETURN of <a href="#">6</a> APPLICATION for Admission of James Clayton Culotta Pro Hac Vice to attorney for correction. (cdg) (Entered: 01/12/2010)
01/22/2010	<a href="#">7</a>	MOTION for Extension of Time to File Responsive Pleading Or Motion with Brief In Support by Department of Health and Human Services. (Ben-David, Neeli) (Entered: 01/22/2010)
01/25/2010	<a href="#">8</a>	ORDER granting <a href="#">7</a> Motion for Extension of Time until 3/1/10 for defendants to file responsive pleading or motion. Signed by Judge Thomas W. Thrash, Jr on 1/25/10. (dr) (Entered: 01/25/2010)
02/15/2010	<a href="#">9</a>	APPLICATION for Admission of Clay Culotta Pro Hac Vice by Glenn L. Goodhart. (Attachments: # <a href="#">1</a> Text of Proposed Order)(Goodhart, Glenn) (Entered: 02/15/2010)
02/19/2010		APPROVAL by Clerks Office re: <a href="#">9</a> APPLICATION for Admission of Clay Culotta Pro Hac Vice. Attorney James Clayton Culotta added appearing on behalf of Glenn L. Goodhart (cdg) (Entered: 02/19/2010)
02/23/2010	<a href="#">1</a> <a href="#">0</a>	ORDER granting <a href="#">9</a> Application for Admission Pro Hac Vice for James Culotta. Signed by Judge Thomas W. Thrash, Jr on 2/22/10. (dr) (Entered: 02/23/2010)
03/01/2010	<a href="#">1</a> <a href="#">1</a>	MOTION for Extension of Time to File Responsive Pleading or Motion with Brief In Support by Kathleen Sebelius and Department of Health and Human Services. (Attachments: # <a href="#">1</a> Exhibit A)(Ben-David, Neeli) Modified on 3/2/2010 to correct filer information (pdw). (Entered: 03/01/2010)
03/02/2010		Notification of Docket Correction re <a href="#">11</a> MOTION for Extension of Time to File Responsive Pleading or Motion to correct filer information. (pdw) (Entered: 03/02/2010)
03/03/2010	<a href="#">1</a> <a href="#">2</a>	MOTION for Default Judgment as to Department of Health and Human Services AND Katherine Sebelius with Brief In Support by Glenn L. Goodhart. (Goodhart, Glenn) (Entered: 03/03/2010)

03/03/2010	<a href="#"><u>1</u></a> <a href="#"><u>3</u></a>	ORDER granting <a href="#"><u>11</u></a> Motion for Extension of Time until 4/1/10 to file a responsive pleading or motion. Signed by Judge Thomas W. Thrash, Jr on 3/2/10. (dr) (Entered: 03/04/2010)
03/22/2010	<a href="#"><u>1</u></a> <a href="#"><u>4</u></a>	RESPONSE in Opposition re <a href="#"><u>12</u></a> MOTION for Default Judgment as to Department of Health and Human Services AND Katherine Sebelius filed by Department of Health and Human Services. (Ben-David, Neeli) (Entered: 03/22/2010)
04/01/2010	<a href="#"><u>1</u></a> <a href="#"><u>5</u></a>	MOTION for Leave to File Administrative Record Under Seal with Brief In Support by Department of Health and Human Services, Kathleen Sebelius. (Ben-David, Neeli) (Entered: 04/01/2010)
04/01/2010	<a href="#"><u>1</u></a> <a href="#"><u>6</u></a>	<b>DOCUMENT FILED IN ERROR</b> - MOTION to Dismiss <i>and, Alternatively, Motion for Summary Judgment</i> with Brief In Support by Department of Health and Human Services. (Attachments: # <a href="#"><u>1</u></a> Exhibit A, # <a href="#"><u>2</u></a> Exhibit B, # <a href="#"><u>3</u></a> Exhibit C)(Ben-David, Neeli) Modified on 4/2/2010 (dr). (Entered: 04/01/2010)
04/01/2010	<a href="#"><u>1</u></a> <a href="#"><u>7</u></a>	MOTION to Dismiss, alternatively, MOTION for Summary Judgment by Department of Health and Human Services, Kathleen Sebelius. (Attachments: # <a href="#"><u>1</u></a> Exhibit A, # <a href="#"><u>2</u></a> Exhibit B, # <a href="#"><u>3</u></a> Exhibit C)(dr) --Please refer to <a href="http://www.gand.uscourts.gov">http://www.gand.uscourts.gov</a> to obtain the Notice to Respond to Summary Judgment Motion form contained on the Court's website.-- (Entered: 04/02/2010)
04/09/2010	<a href="#"><u>1</u></a> <a href="#"><u>8</u></a>	RESPONSE in Opposition re <a href="#"><u>15</u></a> MOTION for Leave to File Administrative Record Under Seal filed by Glenn L. Goodhart. (Goodhart, Glenn) (Entered: 04/09/2010)
04/16/2010	<a href="#"><u>1</u></a> <a href="#"><u>9</u></a>	RESPONSE in Opposition re <a href="#"><u>17</u></a> MOTION to Dismiss, or in the alternative, MOTION for Summary Judgment filed by Glenn L. Goodhart. (Attachments: # <a href="#"><u>1</u></a> Statement of Material Facts, # <a href="#"><u>2</u></a> Affidavit, # <a href="#"><u>3</u></a> Exhibit Exhibit A, # <a href="#"><u>4</u></a> Exhibit Exhibit B, # <a href="#"><u>5</u></a> Exhibit Exhibit C, # <a href="#"><u>6</u></a> Exhibit Exhibit D)(Goodhart, Glenn) Modified on 4/19/2010 to add text(pdw). (Entered: 04/16/2010)
04/20/2010		Submission of <a href="#"><u>12</u></a> MOTION for Default Judgment as to Department of Health and Human Services AND Katherine Sebelius, submitted to District Judge Thomas W. Thrash. (dr) (Entered: 04/20/2010)
04/26/2010	<a href="#"><u>2</u></a> <a href="#"><u>0</u></a>	REPLY BRIEF re <a href="#"><u>15</u></a> MOTION for Leave to File Administrative Record Under Seal filed by Department of Health and Human Services. (Ben-David, Neeli) (Entered: 04/26/2010)
04/28/2010		Submission of <a href="#"><u>15</u></a> MOTION for Leave to File Administrative Record Under Seal, submitted to District Judge Thomas W. Thrash. (pdw) (Entered: 04/28/2010)
04/29/2010	<a href="#"><u>2</u></a> <a href="#"><u>1</u></a>	ORDER denying <a href="#"><u>12</u></a> Motion for Default Judgment. Signed by Judge Thomas W. Thrash, Jr on 4/29/10. (dr) (Entered: 04/30/2010)

05/03/2010	<a href="#"><u>2</u></a> <a href="#"><u>2</u></a>	MOTION for Extension of Time to File Reply Brief with Brief In Support by Department of Health and Human Services. (Ben-David, Neeli) (Entered: 05/03/2010)
05/04/2010	<a href="#"><u>2</u></a> <a href="#"><u>3</u></a>	ORDER denying <a href="#"><u>15</u></a> Motion for Leave to File the Administrative Record Under Seal. Signed by Judge Thomas W. Thrash, Jr on 5/3/10. (dr) (Entered: 05/04/2010)
05/04/2010	<a href="#"><u>2</u></a> <a href="#"><u>4</u></a>	ORDER granting <a href="#"><u>22</u></a> Motion for Extension of Time to file Reply Brief 14 days after the Court rules on defendants' motion to file the administrative record under seal, or 14 days after plaintiff has had the opportunity to supplement his response to motion to dismiss. Signed by Judge Thomas W. Thrash, Jr on 5/4/10. (dr) (Entered: 05/04/2010)
05/14/2010	<a href="#"><u>2</u></a> <a href="#"><u>5</u></a>	NOTICE Of Filing Administrative Record (Redacted) Manually by Department of Health and Human Services, Kathleen Sebelius (CD attached) (Ben-David, Neeli) (Entered: 05/14/2010)
05/14/2010	<a href="#"><u>2</u></a> <a href="#"><u>6</u></a>	PROPOSED CONSENT ORDER. (Ben-David, Neeli) (Entered: 05/14/2010)
05/18/2010	<a href="#"><u>2</u></a> <a href="#"><u>7</u></a>	CONSENT ORDER that plaintiff shall have 21 days after defendants have filed the redacted administrative record to file revised response to <a href="#"><u>17</u></a> MOTION to Dismiss, MOTION for Summary Judgment; Defendants shall have 14 days after plaintiff has filed his revised response, or after the 21 day period for doing so has passed to file reply brief in support. Signed by Judge Thomas W. Thrash, Jr on 5/17/10. (dr) (Entered: 05/19/2010)
06/03/2010	<a href="#"><u>2</u></a> <a href="#"><u>8</u></a>	RESPONSE in Opposition re <a href="#"><u>17</u></a> MOTION to Dismiss MOTION for Summary Judgment filed by Glenn L. Goodhart. (Goodhart, Glenn) (Entered: 06/03/2010)
06/17/2010	<a href="#"><u>2</u></a> <a href="#"><u>9</u></a>	MOTION for Extension of Time of One Day To File Reply Brief with Brief In Support by Department of Health and Human Services. (Ben-David, Neeli) (Entered: 06/17/2010)
06/18/2010	<a href="#"><u>3</u></a> <a href="#"><u>0</u></a>	REPLY BRIEF re <a href="#"><u>17</u></a> MOTION to Dismiss MOTION for Summary Judgment filed by Department of Health and Human Services. (Ben-David, Neeli) (Entered: 06/18/2010)
06/21/2010	<a href="#"><u>3</u></a> <a href="#"><u>1</u></a>	ORDER granting <a href="#"><u>29</u></a> Motion for Extension of Time until 6/18/10 for Defendants to file Reply Brief. Signed by Judge Thomas W. Thrash, Jr on 6/21/10. (dr) (Entered: 06/22/2010)
06/25/2010		Submission of <a href="#"><u>17</u></a> MOTION to Dismiss, MOTION for Summary Judgment, submitted to District Judge Thomas W. Thrash. (dr) (Entered: 06/25/2010)

08/30/2010	<a href="#">3</a> <a href="#">2</a>	ORDER granting <a href="#">17</a> Defendants' Motion for Dismissal or Summary Judgment. Signed by Judge Thomas W. Thrash, Jr on 8/27/10. (cem) (Entered: 08/31/2010)
08/30/2010		Civil Case Terminated. (cem) (Entered: 08/31/2010)
08/31/2010	<a href="#">3</a> <a href="#">3</a>	CLERK'S JUDGMENT entered for defendants and against plaintiff for costs of action. (cem)--Please refer to <a href="http://www.ca11.uscourts.gov">http://www.ca11.uscourts.gov</a> to obtain an appeals jurisdiction checklist-- (Entered: 08/31/2010)
09/03/2010	<a href="#">3</a> <a href="#">4</a>	MOTION for Reconsideration re <a href="#">32</a> Order on Motion to Dismiss, Order on Motion for Summary Judgment, <a href="#">33</a> Clerk's Judgment by Glenn L. Goodhart. (Attachments: # <a href="#">1</a> Exhibit)(Goodhart, Glenn) (Entered: 09/03/2010)
09/20/2010	<a href="#">3</a> <a href="#">5</a>	RESPONSE in Opposition re <a href="#">34</a> MOTION for Reconsideration re <a href="#">32</a> Order on Motion to Dismiss, Order on Motion for Summary Judgment, <a href="#">33</a> Clerk's Judgment filed by Department of Health and Human Services, Kathleen Sebelius. (Ben-David, Neeli) (Entered: 09/20/2010)
09/24/2010	<a href="#">3</a> <a href="#">6</a>	REPLY BRIEF re <a href="#">34</a> MOTION for Reconsideration re <a href="#">32</a> Order on Motion to Dismiss, Order on Motion for Summary Judgment, <a href="#">33</a> Clerk's Judgment filed by Glenn L. Goodhart. (Goodhart, Glenn) (Entered: 09/24/2010)
09/27/2010		Submission of <a href="#">34</a> MOTION for Reconsideration re <a href="#">32</a> Order on Motion to Dismiss, Order on Motion for Summary Judgment, <a href="#">33</a> Clerk's Judgment, submitted to District Judge Thomas W. Thrash. (cem) (Entered: 09/27/2010)
10/21/2010	<a href="#">3</a> <a href="#">7</a>	ORDER denying <a href="#">34</a> Motion for Reconsideration. Signed by Judge Thomas W. Thrash, Jr on 10/21/10. (dr) (Entered: 10/22/2010)

## PACER Service Center

### Transaction Receipt

09/20/2011 14:10:00

<b>PACER Login:</b>	pb0232	<b>Client Code:</b>	foiaproj
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	1:09-cv-03299-TWT
<b>Billable Pages:</b>	4	<b>Cost:</b>	0.32